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*Counsel for Richard A. Marshack,  
Liquidation Trustee of the LPG Liquidation  
Trust*

UNITED STATES BANKRUPTCY COURT  
CENTRAL DISTRICT OF CALIFORNIA  
SANTA ANA DIVISION

In re  
**THE LITIGATION PRACTICE  
GROUP P.C.,**

Debtor.

Case No.: 8:23-bk-10571-SC

## Chapter 11

**DECLARATION OF RICHARD A.  
MARSHACK IN SUPPORT MOTION  
FOR ENTRY OF ORDER ENFORCING  
AGREEMENT OF PURCHASE AND  
SALE AND JOINT ESCROW  
INSTRUCTION, AND COMPELLING  
MORNING LAW GROUP, P.C. TO  
MAKE PAYMENT THEREUNDER AND  
RELATED RELIEF**

Date: April 23, 2025  
Time: 1:30 p.m.  
Judge: Hon. Scott C. Clarkson  
Place: Courtroom 5C  
411 W. Fourth Street  
Santa Ana, CA 92701

1 I, Richard A. Marshack, declare as follows:

2 1. I am the Liquidating Trustee (the “Trustee”) of the LPG Liquidating Trust (the  
3 “Trust”), in the above-captioned bankruptcy case (the “Bankruptcy Case”) of The Litigation  
4 Practice Group P.C. (the “Debtor”). I make this declaration in support of the Trustee’s *Motion for*  
5 *Entry of Order Enforcing the Agreement of Purchase and Sale and Joint Escrow Instruction, and*  
6 *Compelling Morning Law Group, P.C. to Make Payment Thereunder and Related Relief* (the  
7 “Motion”).<sup>1</sup> I am over the age of 18, except as otherwise indicated herein I have personal  
8 knowledge of the facts set forth herein or have obtained familiarity with such facts from persons  
9 knowledgeable of them, and if called upon to testify, could and would do so.

10 2. I understand that MLG provided a calculation that the Earn-Out payment owed by  
11 MLG for the Fourth Quarter of 2024 is \$953,247.59. The interpretation of the Earn-Out language  
12 under the PSA is currently under dispute as set forth more fully in the Motion and defined as the  
13 Earn-Out Dispute therein. Under the Trust’s interpretation of the Earn-Out language in the PSA,  
14 the Earn-Out payment is greater than the Undisputed Payment calculated by MLG. Accordingly,  
15 I do not believe that the ultimate Earn-Out payment for the Fourth Quarter of 2024 will be lower  
16 than the Undisputed Payment regardless the outcome of the Earn-Out Dispute.

17 3. I have not authorized, or entered into any written agreement, that permits MLG to  
18 defer undisputed portions of the Earn-Out amounts to the Trust during the pendency of the Earn-  
19 Out Dispute.

20 I declare under penalty of perjury that the foregoing is true and correct.

21 Executed this 2nd day of April 2025. 

22  
23 Richard A. Marshack  
24  
25  
26

27 <sup>1</sup> Capitalized terms not defined herein have the meanings assigned to them in the Motion.

## 1 PROOF OF SERVICE OF DOCUMENT

2 I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business  
3 address is 10250 Constellation Boulevard, Suite 900, Los Angeles, CA 90067.

4 A true and correct copy of the foregoing documents entitled: DECLARATION OF RICHARD A.  
5 MARSHACK IN SUPPORT OF MOTION FOR ENTRY OF ORDER ENFORCING AGREEMENT OF  
6 PURCHASE AND SALE AND JOINT ESCROW INSTRUCTION, AND COMPELLING MORNING  
7 LAW GROUP, P.C. TO MAKE PAYMENT THEREUNDER AND RELATED RELIEF on the judge in  
8 chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

9 **1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant  
10 to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and  
11 hyperlink to the document. On 4/02/2025, I checked the CM/ECF docket for this bankruptcy case or  
12 adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to  
13 receive NEF transmission at the email addresses stated below:

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2. **SERVED BY UNITED STATES MAIL:** On 4/02/2025, I served the following persons and/or  
entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and  
correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed  
as follows.

21                   See attached for additional parties

22                   3. **SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION  
OR EMAIL** (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling  
23 LBR, on 1/08/2025, I served the following persons and/or entities by personal delivery, mail service, or (for  
24 those who consented in writing to such service method), by facsimile transmission and/or email as follows.  
25 Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will  
be completed no later than 24 hours after the document is filed.

26                   The Honorable Scott C. Clarkson  
27                   United States Bankruptcy Court, Central District of California  
28                   411 West Fourth Street, Suite 5130 / Courtroom 5C  
                 Santa Ana, CA 92701-4593

1 I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

2 4/02/2025

Kimberly Hoang

3 Date

Printed Name

/s/ Kimberly Hoang

Signature

6 **Additional Parties Served by U.S. Mail**

7 **Creditors who have the 20 largest unsecured claims**

8 Debt Validation Fund II, LLC  
5075 Lower Valley Road,  
9 Atglen, PA 19310

10 MC DVI Fund 1, LLC; MC  
DVI Fund 2, LLC  
11 598 Cottonwood Dr.,  
Glenview, IL 60026

12 Validation Partners LLC  
1300 Sawgrass Pkwy, Ste. 110  
13 Sunrise, FL 33323

14 Marich Bein LLC  
15 99 Wall Street, Ste 2669  
New York, NY 10005

16 Business Centers of America  
17 1100 Sir Francis Drake Blvd,  
Ste 1, Kentfield, CA 94904

18 JP Morgan Chase  
19 3 Park Plaza, Ste 900  
Irvine, CA 92614

20 CA Franchise Tax Board  
21 PO Box 942857  
Sacramento, CA 94257-0511

22 Outsource Accelerator Ltd  
23 City Marque Limited  
24 Unit 8801-2 Bldg. 244-248  
Des Voeux Rd.  
Central Hong Kong

25 Collaboration Advisors  
400 Dorla Court  
26 Zephyr Cove, NV 89448

28 Anthem Blue Cross  
PO Box 511300  
Los Angeles, CA 90051-7855

1 Azevedo Solutions Groups, Inc.  
2 420 Adobe Canyon Rd.  
3 Kenwood, CA 95452

4 Debt Pay Pro  
5 1900 E Golf Road, Suite 550  
6 Schaumburg, IL 60173

7 Sharp Business Systems  
8 8670 Argent St  
9 Santee, CA 92071

10 Tustin Executive Center  
11 1630 S Sunkist Street, Ste A  
12 Anaheim, CA 92806

13 Exela Enterprise Solutions  
14 2701 E. Grauwyler Road  
15 Irving, TX 75061

16 Netsuite-Oracle  
17 2300 Oracle Way  
18 Austin, TX 78741

19 Credit Reporting Service Inc  
20 548 Market St, Suite 72907  
21 San Francisco, CA 94104-5401

22 Document Fulfillment Services  
23 2930 Ramona Ave #100  
24 Sacramento, CA 95826

25 Executive Center LLC  
26 5960 South Jones Blvd  
27 Las Vegas, NV 89118

28 LexisNexus  
15500 B Rockfield Blvd  
Irvine, CA 92618

22 **Secured Creditors**

23 Diverse Capital LLC  
323 Sunny Isles Blvd., Suite 503  
24 Sunny Isles, FL 33154

25 City Capital NY  
1135 Kane Concourse  
26 Bay Harbour Islands, FL 33154